

R.I. Bankr. Form 3015-2.1
(Revised 7/1/15)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

IN RE: DIANE ST. AMOUR

CHAPTER 13
CASE NO. 17-10560

Debtor(s)

FIRST [indicate 1st, 2nd, 3rd, etc.]
AMENDED CHAPTER 13 PLAN AND APPLICABLE MOTIONS DESIGNATED BELOW:

This amended plan: ☒ Does adversely affect creditors
☐ Does *not* adversely affect creditors

Check for motions applicable to this plan amendment:

- () Motion to Avoid Lien(s)
() Motion to Modify Secured Claim(s)
() Motion to Assume/Reject Lease(s)

() No motions applicable to this plan amendment

On _____, Debtor's Chapter 13 plan was confirmed. If applicable, further amendments were made on _____ [dates of later amendments] and the substance of all prior amendments is also listed below.

This Amended Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows (list all new and prior amendments with dates):

Debtor filed her original plan on May 8, 2017. All of the provisions of the previous filed plan are hereby incorporated by referenced into first amended plan.

Upon confirmation of Debtor's chapter 13 plan, the Debtor shall make a lump sum payment to satisfy her debts as outlined below:

1. The Debtor will file an adversary proceeding or a separate lawsuit in State of Federal Court challenging the validity of the prepetition arrearages sought in the mortgage servicers amended proof of claim and will also assert other affirmative damage claims pertaining to the servicing of said loan. Once that litigation is resolved, Debtor will make a lump sum payment to the Trustee in an amount sufficient to cure all prepetition arrearages determined to be due and owing by said creditor consistent with the outcome of the potential litigation.
2. Unsecured creditors totaling \$11,329.90 shall be paid in full.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully, including any motions contained therein, and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you object to the confirmation of the proposed plan of the debtor(s) as amended, including any of the motions included therein, then you or your attorney must file with the Court a written objection to confirmation and/or to the motions contained therein at the following address:

Clerk, U.S. Bankruptcy Court, 380 Westminster St., Providence, R.I., 02903

OBJECTIONS: Your objection to confirmation and/or to the motions contained in the plan must include the specific reasons for your objection, **and must be filed with the Court no later than seven (7) days before the confirmation hearing.**

If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadlines stated above. You must also serve a copy of your objection to confirmation, and any applicable motions contained therein, on the debtor(s), the attorney for the debtor(s), and the Chapter 13 trustee at their addresses as they are listed in the notice of the meeting of creditors.

If you or your attorney does not take these steps, the Court may decide that you do not oppose the proposed plan of the debtor(s) as amended, including any motions contained therein, and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to *timely* object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. Section 1325(a)(5)(A).**


PLAN SERVICE AND SIGNATURES:

Pursuant to the R.I. LBR 3015-1(b), the Debtor or his/her counsel is required to serve a copy of the ***amended*** Chapter 13 Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a certificate of service accordingly. In addition, if the Debtor has included a Motion to Modify Secured Claim and/or a Motion to Avoid Lien in this ***amended*** plan, the Debtor must also comply with the service requirements contained in R.I. LBR's 3015-1(c)(1) and 4003-2.

Debtor is also required to attach the original filed plan within the Amended Plan filing event in ECF.

I/We declare under penalty of perjury that the information provided in the Amended Chapter 13 Plan, including any applicable Motion(s) to Modify Secured Claim(s); Motion(s) to Avoid Certain Lien(s); and Motion(s) for Assumption and Rejection of Executory Contracts and Unexpired Lease(s), as to all matters set forth herein, are true and correct to the best of our knowledge and belief:

Dated: November 17 , 2017

 11/17/17
/s/Diane St. Amour
Debtor's Signature

I hereby certify that I have reviewed this document with the debtor(s) and that the debtor(s) have received a copy of this document.

Dated: November 17 , 2017

/s/Christopher M. Lefebvre
Attorney for the Debtor

CERTIFICATION OF SERVICE

I hereby certify that on November 27, 2017, I electronically filed First Amended Chapter 13 plan with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically: Office of the U.S. Trustee, and John Boyajian, Esq.; and mailed by United States Postal Service, postage pre-paid, by regular mail the original chapter 13 plan, first amended chapter 13 plan to the following non CM/ECF participants: all the creditors in the attached list.

/s/Maria J. Ferreira

Label Matrix for local noticing
0103-1
Case 1:17-bk-10560
District of Rhode Island
Providence
Mon Nov 27 14:10:59 EST 2017

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Rhode Island Division of Taxation
Bankruptcy Unit
One Capitol Hill
Providence, RI 02908-5816

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Diane St. Amour
8 E Quail Run
Charlestown, RI 02813-2808

State of RI - Labor and Training
Legal Department
Bldg 72 3rd Floor
1511 Pontiac Avenue
Cranston, RI 02920-4407

Caliber Home Loans
PO Box 24610
Oklahoma City OK 73124-0610

Capital One
P. O. Box 85147
Richmond VA 23276-0001

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

Charlotte County Tax Collector
Offices County Administration
18500 Murdock Circle
Port Charlotte FL 33948-1075

Diane St. Amour
8 E Quail Run
Charlestown RI 02813-2808

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

Flager County Tax Collector
PO Box 846
Bunnell FL 32110-0846

Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands MA 02461-0389

Midland Funding, LLC
Midland Credit Management, Inc. as
agent for Midland Funding, LLC
PO Box 2011
Warren, MI 48090-2011

Navient Solutions, LLC on behalf of
United Student Aid Funds, Inc.
Attn: Bankruptcy Litigation Unit E3149
PO Box 9430
Wilkes Barre, PA 18773-9430

Sallie Mae
PO Box 9500
Wilkes Barre PA 18773-9500

U.S. Bank Trust, N.A. as Trustee for LSF9 Ma
Caliber Home Loans Inc.
13801 Wireless Way
Oklahoma OK 73134-2500

U.S. Bank Trust, N.A., as Trustee for LSF9 M
c/o Caliber Homes Loans, Inc.
13801 Wireless Way
Oklahoma City OK 73134-2500

~~John M. Goyan~~
~~PO Box 2501~~
~~Providence, RI 02906-0501~~

~~State of RI - Taxation~~
~~One Capitol Hill~~
~~Providence, RI 02908-5803~~

~~Christopher Lerebvre~~
~~Law Office of Claude Lerebvre & Sons~~
~~PO Box 479~~
~~Two Denton Street~~
~~Pawtucket, RI 02860-2991~~

~~Gerald Donahue~~
~~Officer of the U.S. Trustee~~
~~U.S. Courthouse~~
~~One Exchange Terrace Suite 431~~
~~Providence, RI 02903-1744~~

~~Tatyana P. Tabachnik~~
~~Orlando, FL~~
~~P.O. Box 540540~~
~~Waltham, MA 02454-0540~~

Internal Revenue Service
Insolvency Unit - 4th Floor
380 Westminster Street
Providence, RI 02903

Discover
Customer Service
PO Box 30943
Salt Lake City UT 84130

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)U.S. Bank Trust, N.A., as Trustee for LSF9

(d)PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

End of Label Matrix	
Mailable recipients	25
Bypassed recipients	2
Total	27